

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 170

HOUSE BILL 2410

AN ACT

REPEALING SECTION 11-1024, ARIZONA REVISED STATUTES; AMENDING TITLE 11, CHAPTER 7, ARTICLE 6.1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 11-1024; RELATING TO HANDLING OF ANIMALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 11-1024, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 11, chapter 7, article 6.1, Arizona Revised Statutes,
5 is amended by adding a new section 11-1024, to read:

6 11-1024. Service animals; rights of individuals with
7 disabilities; violation; classification; definitions

8 A. ANY PERSON OR ENTITY WHO OPERATES A PUBLIC PLACE SHALL NOT
9 DISCRIMINATE AGAINST INDIVIDUALS WITH DISABILITIES WHO USE SERVICE ANIMALS.

10 B. IT IS NOT DISCRIMINATORY TO EXCLUDE A SERVICE ANIMAL FROM A PUBLIC
11 PLACE IF ONE OR MORE OF THE FOLLOWING APPLY:

12 1. THE ANIMAL POSES A DIRECT THREAT TO THE HEALTH OR SAFETY OF OTHERS.

13 2. THE ANIMAL FUNDAMENTALLY ALTERS THE NATURE OF THE PUBLIC PLACE OR
14 THE GOODS, SERVICES OR ACTIVITIES PROVIDED.

15 3. THE ANIMAL POSES AN UNDUE BURDEN.

16 C. PUBLIC PLACES MAY MAINTAIN A GENERAL NO PETS POLICY IF IT IS NOT
17 USED TO EXCLUDE SERVICE ANIMALS AND IF IT DOES NOT GRANT RIGHTS TO ANY PERSON
18 TO BRING THE PERSON'S PET INTO A PUBLIC PLACE THAT OTHERWISE DOES NOT PERMIT
19 PETS.

20 D. A SERVICE ANIMAL HANDLER IS LIABLE FOR ANY DAMAGE DONE TO A PUBLIC
21 PLACE BY THE SERVICE ANIMAL OR SERVICE ANIMAL IN TRAINING.

22 E. ANY TRAINER OR INDIVIDUAL WITH A DISABILITY MAY TAKE AN ANIMAL
23 BEING TRAINED AS A SERVICE ANIMAL TO A PUBLIC PLACE FOR PURPOSES OF TRAINING
24 IT TO THE SAME EXTENT AS PROVIDED IN SUBSECTIONS A, B AND C OF THIS SECTION.

25 F. A ZOO OR WILD ANIMAL PARK MAY PROHIBIT A SERVICE ANIMAL, INCLUDING
26 A DOG GUIDE OR SERVICE DOG, FROM ANY AREA OF THE ZOO OR WILD ANIMAL PARK
27 WHERE THE SERVICE ANIMAL MAY COME INTO DIRECT CONTACT WITH THE ANIMALS
28 CONTAINED IN THE ZOO OR WILD ANIMAL PARK. SERVICE ANIMALS SHALL NOT BE
29 EXCLUDED FROM PUBLIC WALKWAYS OR SIDEWALKS OR FROM ANY AREA THAT ALLOWS FOR
30 PHYSICAL BARRIERS BETWEEN THE SERVICE ANIMALS, DOG GUIDES OR SERVICE DOGS AND
31 THE ANIMALS IN THE ZOO OR WILD ANIMAL PARK. ANY ZOO OR WILD ANIMAL PARK THAT
32 PROHIBITS DOG GUIDES AND SERVICE DOGS SHALL PROVIDE WITHOUT COST ADEQUATE
33 FACILITIES FOR THE TEMPORARY CONFINEMENT OF DOG GUIDES AND SERVICE DOGS. THE
34 FACILITIES SHALL BE ADEQUATE TO ACCOMMODATE THE ANTICIPATED ATTENDANCE OF
35 LEGALLY BLIND, DEAF OR PHYSICALLY DISABLED PERSONS, SHALL BE IN AN AREA NOT
36 ACCESSIBLE TO THE GENERAL PUBLIC, SHALL PROVIDE WATER FOR THE DOG GUIDES AND
37 SERVICE DOGS AND SHALL OTHERWISE BE SAFE, CLEAN AND COMFORTABLE. THE ZOO OR
38 WILD ANIMAL PARK ON REQUEST BY A LEGALLY BLIND PERSON WHO IS REQUIRED TO
39 LEAVE THAT PERSON'S DOG GUIDE OR SERVICE DOG PURSUANT TO THIS SUBSECTION
40 SHALL PROVIDE A SIGHTED ESCORT IF THE LEGALLY BLIND PERSON IS UNACCOMPANIED
41 BY A SIGHTED PERSON.

1 G. THE DRIVER OF A VEHICLE APPROACHING A LEGALLY BLIND PEDESTRIAN WHO
2 IS CARRYING A CANE THAT IS PREDOMINATELY WHITE OR METALLIC IN COLOR, WHO IS
3 USING A SERVICE ANIMAL OR WHO IS ASSISTED BY A SIGHTED PERSON SHALL YIELD THE
4 RIGHT-OF-WAY AND TAKE REASONABLE PRECAUTIONS TO AVOID INJURY TO THE
5 PEDESTRIAN AND THE SERVICE ANIMAL. THE PEDESTRIAN HAS THE SAME RIGHTS AS ANY
6 OTHER PERSON WHETHER OR NOT THE PEDESTRIAN IS CARRYING THE CANE, USING A
7 SERVICE ANIMAL OR BEING ASSISTED BY A SIGHTED PERSON. DRIVERS SHALL TAKE THE
8 SAME PRECAUTIONS WITH RESPECT TO PEDESTRIANS WHO HAVE A DISABILITY OTHER THAN
9 BLINDNESS AND THEIR SERVICE ANIMALS. A DRIVER WHO VIOLATES THIS SUBSECTION
10 IS LIABLE FOR DAMAGES FOR ANY INJURY CAUSED TO THE PEDESTRIAN OR THE SERVICE
11 ANIMAL.

12 H. ANY PERSON OR ENTITY WHO VIOLATES SUBSECTIONS A THROUGH F OF THIS
13 SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

14 I. THIS SECTION IS NOT INTENDED TO AFFECT ANY CIVIL REMEDIES AVAILABLE
15 FOR A VIOLATION OF THIS SECTION.

16 J. FOR THE PURPOSES OF THIS SECTION:

17 1. "DIRECT THREAT TO THE HEALTH OR SAFETY OF OTHERS" MEANS THAT A
18 SIGNIFICANT RISK TO THE HEALTH OR SAFETY OF OTHERS EXISTS AND CANNOT BE
19 ELIMINATED BY MODIFICATION OF POLICIES, PRACTICES OR PROCEDURES OR BY THE
20 PROVISION OF AUXILIARY AIDS OR SERVICES.

21 2. "DISCRIMINATE" MEANS DISCRIMINATORY ACTIONS PRESCRIBED IN SECTION
22 41-1492.02 AND INCLUDES:

23 (a) REFUSING TO PERMIT AN INDIVIDUAL WITH A DISABILITY TO ENTER A
24 PUBLIC PLACE WITH A SERVICE ANIMAL OR INTERFERING WITH THE INDIVIDUAL'S RIGHT
25 TO ENTER OR USE THE PUBLIC PLACE.

26 (b) FAILING TO PROVIDE AN INDIVIDUAL WITH A DISABILITY THE SAME
27 SERVICES AND ACCESS TO THE SAME AREAS OF THE PREMISES AS AFFORDED TO OTHERS.

28 (c) ATTEMPTING TO IMPOSE A CHARGE, FEE OR DEPOSIT BECAUSE AN
29 INDIVIDUAL WITH A DISABILITY IS ACCOMPANIED BY A SERVICE ANIMAL.

30 (d) REQUIRING AN INDIVIDUAL WITH A DISABILITY TO DISCLOSE DISABILITY
31 RELATED INFORMATION. HOWEVER, A PUBLIC ACCOMMODATION MAY ASK IF THE ANIMAL
32 IS A SERVICE ANIMAL BEING USED BECAUSE OF A DISABILITY.

33 (e) REQUIRING PROVISION OF IDENTIFICATION FOR THE SERVICE ANIMAL.

34 3. "INDIVIDUAL WITH A DISABILITY" MEANS AN INDIVIDUAL WHO HAS A
35 PHYSICAL OR MENTAL IMPAIRMENT THAT SUBSTANTIALLY LIMITS ONE OR MORE OF THE
36 MAJOR LIFE ACTIVITIES OF THE INDIVIDUAL.

37 4. "PUBLIC PLACE" MEANS ANY OFFICE OR PLACE OF BUSINESS OR RECREATION
38 TO WHICH THE GENERAL PUBLIC IS INVITED, WHETHER OPERATED BY A PUBLIC OR
39 PRIVATE ENTITY AND INCLUDES ALL FORMS OF CONVEYANCE, INCLUDING TAXIS, TOW
40 TRUCKS AND AMBULANCES.

1 5. "SERVICE ANIMAL" MEANS ANY GUIDE DOG, SIGNAL DOG OR OTHER ANIMAL
2 INDIVIDUALLY TRAINED TO DO WORK OR PERFORM TASKS FOR THE BENEFIT OF AN
3 INDIVIDUAL WITH A DISABILITY, INCLUDING GUIDING INDIVIDUALS WITH IMPAIRED
4 VISION, ALERTING INDIVIDUALS WITH IMPAIRED HEARING TO INTRUDERS OR SOUNDS,
5 PROVIDING ASSISTANCE IN A MEDICAL CRISIS, PULLING A WHEELCHAIR OR FETCHING
6 DROPPED ITEMS.

7 6. "WILD ANIMAL PARK" MEANS AN ENTITY THAT IS OPEN TO THE PUBLIC ON
8 A REGULAR BASIS, THAT IS LICENSED BY THE UNITED STATES DEPARTMENT OF
9 AGRICULTURE AS AN EXHIBIT AND THAT IS OPERATING PRIMARILY TO CONSERVE,
10 PROPAGATE AND EXHIBIT WILD AND EXOTIC ANIMALS.

APPROVED BY THE GOVERNOR MAY 7, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 7, 2003.

Passed the House March 4, 2023,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate April 29, 2023

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Kelli Blumett
President of the Senate

Charmine Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State


H.B. 2410

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

May 1, 2003,

by the following vote: 55 Ayes,

0 Nays, 4 Not Voting



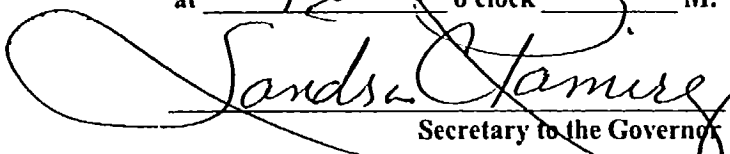
Speaker of the House
Pro Tempore
Norman L. More
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

1 day of May, 2003

at 4:00 o'clock P. M.



Secretary to the Governor

Approved this 7 day of

May, 2003,

at 10⁰⁰ o'clock A. M.

Jt Nylt

Governor of Arizona

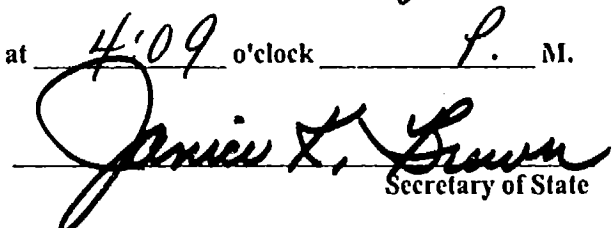
H.B. 2410

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 7 day of May, 2003

at 4:09 o'clock P. M.



Secretary of State